

Law Offices of Alan L. Zegas

60 Morris Turnpike
3rd Floor West
Summit, NJ 07901

phone: 973-379-1999
fax: 973-379-1998
www.zegaslaw.com

Alan L. Zegas (NJ, NY, SDNY, & EDNY Bars)
Joshua Nahum (NJ, NY, & SDNY Bars)

azegas@zegaslaw.com
jnahum@zegaslaw.com

June 25, 2020

Honorable Susan D. Wigenton
United States District Judge
Martin Luther King Building & U.S. Courthouse
50 Walnut Street
Newark, New Jersey 07101

RE: United States v. Wildstein, Crim. No. 15-209

Dear Judge Wigenton:

Enclosed is a proposed order for the Court's consideration that returns the fine, restitution and special assessment previously paid by Mr. Wildstein in this matter.

When Mr. Wildstein was sentenced in this matter, the Court ordered that a fine, restitution, and special assessment be paid. Mr. Wildstein satisfied the judgment in the above-captioned case on May 8, 2018 that included a \$10,000 fine, restitution of \$14,314.04 and special assessment of \$200 ordered by the court, for a total of \$24,514.04.

On June 11, 2020 the Court ordered that Mr. Wildstein's Judgment of Conviction be vacated and the Information against him be dismissed. Accordingly, it is now appropriate for the government to return the fines, restitution, and special assessment previously paid. *See, e.g., U.S. v. Mnadel*, 862 F. 2d 1067, 1075 (4th Cir. 1988) (upholding a lower court ruling vacating a conviction and ordering the return of all fines previously paid).

Respectfully submitted,
Law Offices of Alan L. Zegas

/s/ Alan L. Zegas
Alan L. Zegas

cc: Lee M. Cortes, AUSA
Mark Coyne, United States Attorney

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

LAW OFFICES OF ALAN L. ZEGAS

60 Morris Turnpike
Third Floor West
Summit, New Jersey 07901
(O) 973-379-1999
(F) 973-379-1998
Attorneys for Defendant,
David Wildstein

UNITED STATES OF AMERICA

Plaintiff,

v.

DAVID WILDSTEIN

Defendant.

:

:

:

:

:

Crim. No. 15-209 (SDW)

ORDER

ORDER FOR RETURN OF MONETARY PENALTIES

THIS COURT having vacated the Judgment of Conviction and dismissed the Information in this matter with respect to Mr. Wildstein and it being further determined by the Court that: (1) on July 12, 2017, the Court ordered Mr. Wildstein to pay a \$10,000 fine, restitution of \$14,314.04 and a special assessment of \$200 ordered by the court, for a total of \$24,514.04; (2) on May 8, 2018, the United States of America filed a Satisfaction of Judgment after Mr. Wildstein Paid in Full the monetary penalties imposed; and (3) on June 11, 2020, the Court vacated Mr. Wildstein's Judgment of Conviction and dismissed the Information against Mr. Wildstein.

It is hereby ORDERED:

- (1) That the United States return any and all fines, restitution and special assessments paid by Mr. Wildstein in satisfaction of any prior judgment in this matter;
- (2) That all monetary penalties, fines, restitution, special assessments, and forfeitures of any kind ordered in this matter are hereby vacated and no longer of any force and effect.

HONORABLE SUSAN D. WIGENTON
UNITED STATES DISTRICT JUDGE

Dated: June ____, 2020
Newark, New Jersey